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Mark A. Litman & Associates, P.A.  
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3209 West 76th Street  
Suite 205  
Edina, MN 55435

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**OFFICE OF PETITIONS**

In re Application of :  
Edward W. Stark :  
Application No. 08/818,289 : **ON PETITION**  
Filed: March 14, 1997 :  
Attorney Docket No. 653.001US1 :

This is a decision on the petition under 37 CFR 1.137(b), filed by facsimile transmission on February 2, 2006<sup>1</sup>, to revive the above-identified application.

This application became abandoned for failure to timely submit formal drawings in response to the Notice of Allowability mailed July 30, 2003. A Notice of Abandonment was mailed on December 15, 2003.

Since \$665 is required for treatment of the instant petition, that fee has been charged to petitioner's deposit account, as authorized.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of two (2) sheets of formal drawings containing Figures 1-2; (2) the petition fee of \$665; and (3) an adequate statement of unintentional delay. Therefore, the petition is **GRANTED**.

This application is being referred to the Office of Publications for review of the two (2) sheets of formal drawings filed February 2, 2006.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith  
Petitions Examiner  
Office of Petitions

<sup>1</sup> Petitioner provided the Office with a copy of the postcard receipt, which shows that the USPTO received the instant petition, formal drawings, and an amendment on January 16, 2004. However, the above items were subsequently misplaced within the USPTO.